AO 93 (Rev. 11/13) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the

Western District of Washington

In the Matter of the Search of
(Briefly describe the property to be searched or identify the person by name and address)

One (1) Twitter account, hosted at premises controlled by Twitter, Inc., located at 1355 Market Street, Suite 900, San Francisco, CA, more fully described in Attachment A-1

Case No. MJ19-359

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Northern District of California
(identify the person or describe the property to be searched and give its location):

One (1) Twitter account, hosted at premises controlled by Twitter, Inc., located at 1355 Market Street, Suite 900, San Francisco, CA, more fully described in Attachment A-1, incorporated herein by reference

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(identify the person or describe the property to be seized)*:

See Attachment B-1 for a list of information to be disclosed, incorporated herein by reference.

YOU ARE COMMANDED to execute this warrant on or before August 13, 2019 *(not to exceed 14 days)*

☐ in the daytime 6:00 a.m. to 10:00 p.m. ☑ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to any U.S. Magistrate Judge in West. Dist. of Washington.
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)*

☐ for ____ days *(not to exceed 30)* ☐ until, the facts justifying, the later specific date of _____.

Date and time issued: 07/30/2019 2:00 pm 3:30

Judge's signature

City and state: Seattle, Washington

United States Magistrate Judge Mary Alice Theiler
Printed name and title

2019R00675

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Return

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Z88A-SE-3142461	7/30/19 8:04 PM	Submitted electronically

Inventory made in the presence of :
n/a

Inventory of the property taken and name of any person(s) seized:

0xA3A97B6C-113683574038019276 8-2019-09-01-202668.zip

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: 9/30/19

Executing officer's signature

SA Joel Martin

Printed name and title

ATTACHMENT A-1

Twitter Accounts to be Searched

The electronically stored data, information and communications contained in, related to, and associated with, including all preserved data for the account associated with the following:

i. **@0xA3A97B6C, with username "ERRATIC"**

("**SUBJECT ACCOUNT**") as well as all other subscriber and log records associated with each account, which are located at premises owned, maintained, controlled or operated by Twitter, Inc., an electronic communications service and/or remote computer service provider headquartered at 1355 Market Street, Suite 900, San Francisco, California 94103.

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ATTACHMENT B-1

Items to be Seized

I. Information to be disclosed by Twitter, for search:

To the extent that the information described in Attachment A-1 is within the possession, custody, or control of Twitter, Inc. ("Twitter" or "Provider"), regardless of whether such information is located within or outside of the United States, including any e-mails, records, files, logs, or information that has been deleted but is still available to Provider, or has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose the following information to the government for each account or identifier listed in Attachment A-1:

(a) All "Tweets" (message posts) and Direct Messages sent, received, "favorited," or retweeted by the account, including all photographs, video clips, or images included in those Tweets and Direct Messages, associated with the SUBJECT ACCOUNT from **August 1, 2017 to the present**;

(b) All identity and contact information, including full name, email address, physical address (including city, state, and zip code), date of birth, gender, hometown, occupation, and other personal identifiers;

(c) All past and current usernames, account passwords, and names associated with the account;

(d) The dates and times at which the account and profile were created, and the Internet Protocol ("IP") address at the time of sign-up;

(e) All IP logs and other documents showing the IP address, date, and time of each login to the account;

(f) All data and information associated with the profile page, including photographs, biographies ("bios"), and profile backgrounds and themes;

(g) All photographs and images in the user gallery for the account;

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(h) All location data associated with the account, including all information collected by the "Tweet With Location" service and information regarding locations where the account was accessed;

(i) All information about the account's use of Twitter's link service, including all longer website links that were shortened by the service, all resulting shortened links, and all information about the number of times that a link posted by the account was clicked;

(j) All data and information that has been deleted by the user;

(k) A list of all of the people that the user follows on Twitter (*i.e.*, the user's "following" list);

(l) A list of all users that the account has "unfollowed" or blocked;

(m) All "lists" created by the account, including friend or buddy lists;

(n) All information on the "Who to Follow" list for the account;

(o) All privacy and account settings;

(p) All records of Twitter searches performed by the account, including all past searches saved by the account;

(q) All information about connections between the account and third-party websites and applications;

(r) All records pertaining to communications between Twitter and any person regarding the user or the user's Twitter account, including contacts with support services, and all records of actions taken, including suspensions of the account.

The Provider is hereby ordered to disclose the above information to the government **within 14 days** of service of this warrant.

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II. Information to be seized by the government

All information described above in Section I that constitutes fruits, contraband, evidence and instrumentalities of violations of Title 18, United States Code, Sections 1028(a)(7) (Identity Theft); 1028A (Aggravated Identity Theft); 1029(a)(2) (Access Device Fraud); 1030(a)(2), (4) and (5)(A) (Computer Fraud/Hacking); and 1343 (Wire Fraud), those violations occurring since at least March 2019 to the present, including, for each account or identifier listed on Attachment A-1, information pertaining to the following matters:

(a) Evidence of any attempt or plan to engage in computer hacking, intrusion, or network access activity; access to computers or servers of entities, including Capital One Financial Corporation ("Capital One"), or Amazon.com, Inc. or Amazon Web Services ("AWS") (collectively, "Amazon"), or to files, information, or data related to such entities; the possession, use, or transfer of authentication credentials or files, information, or data related to such entities, or otherwise related to stolen property;

(b) Evidence of the development, possession, or use of any code, scripts, or tools that could be used, whether along or in conjunction with other code, scripts, or tools, to search for or exploit vulnerabilities in networks or servers;

(c) Evidence of the account user's true name, identity and use of aliases or monikers;

(d) Evidence of the account user's ownership, use, or access to other online accounts, including, but not limited to, email, social media or networking, cloud storage (e.g., AWS, Azure, Google Drive) accounts;

(e) Evidence of efforts to encrypt data or destroy evidence;

(f) Evidence indicating the account user's state of mind as it relates to the crime under investigation;

(g) All messages, documents, and profile information, attachments, or other data that serves to identify any persons who use or access the account specified, or who exercise in any way any dominion or control over the specified account;

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(h) Any address lists or buddy/contact lists associated with the specified account;

(i) All messages, documents and profile information, attachments, or other data that otherwise constitute or identify the fruits or proceeds, or the instrumentalities, of the criminal violations of Title 18, United States Code, described above.

(j) All subscriber records associated with the specified account, including name, address, local and long distance telephone connection records, or records of session times and durations, length of service (including start date) and types of service utilized, telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address, and means and source of payment for such service) including any credit card or bank account number;

(k) Any and all other log records, including IP address captures, associated with the specified account;

(l) Any records of communications between Provider, and any person about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users about the specified account. This includes, but is not limited to, records of contacts between the subscriber and Provider's support services, as well as records of any actions taken by the provider or subscriber as a result of the communications.

(m) All messages, documents and profile information, attachments, or other data that that identify person(s) who communicated with the account user about matters relating to the offense conduct, as described in paragraph (a), above, including records that help reveal their whereabouts.

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CERTIFICATE OF AUTHENTICITY OF DOMESTIC RECORDS PURSUANT TO FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by _____, and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of _____. The attached records consist of _____

_____

[GENERALLY DESCRIBE RECORDS (pages/CDs/megabytes)]. I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of _____, and they were made by _____ as a regular practice; and

b. such records were generated by _____'s electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of _____ in a manner to ensure that they are true duplicates of the original records; and

2. the process or system is regularly verified by _____, and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

_____ _____

Date Signature

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